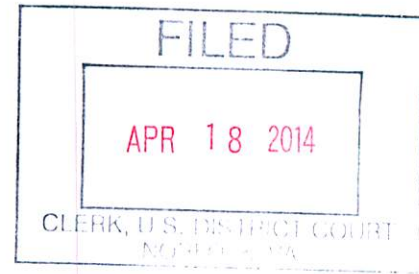


**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**



KEITH EARL GODWIN, #1090811

Petitioner,

v.

ACTION NO. 2:13CV410

**HAROLD W. CLARKE,
Director,**

Respondent.

FINAL ORDER

This matter was initiated by petition for a writ of habeas corpus under 28 U.S.C. § 2254. Petitioner challenges his 1986 conviction and sentence for two robberies and related firearms charges in the Chesapeake Circuit Court for which he was sentenced to serve a 31-year sentence.

The matter was referred to a United States Magistrate Judge for report and recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia. The Report and Recommendation filed March 13, 2014 recommends dismissal of the petition. Each party was advised of his right to file written objections to the findings and recommendations made by the Magistrate Judge. On March 28, 2014 the Court received petitioner's Objections to the Report and Recommendation. The respondent filed no response to the objections and the time for responding has now expired.

The Court, having reviewed the record and examined the objections filed by petitioner to the Report and Recommendation, and having made de novo findings with respect to the portions objected to, does hereby adopt and approve the findings and recommendations set forth in the Report

and Recommendation filed March 13, 2014. It is, therefore, ORDERED that petitioner's Motion to Appoint Counsel (ECF No. 3) is DENIED, petitioner's Motion to Amend the Petition (ECF No. 18) is GRANTED, respondent's Motion to Dismiss is GRANTED, and Godwin's petition for writ of habeas corpus under 28 U.S.C. § 2254 is hereby DISMISSED with prejudice.

Petitioner is hereby notified that he may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within thirty (30) days from the date of entry of such judgment.

Petitioner has failed to demonstrate "a substantial showing of the denial of a constitutional right," therefore, the Court declines to issue any certificate of appealability pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure. See Miller-El v. Cockrell, 123 S.Ct. 1029, 1039 (2003).

The Clerk shall mail a copy of this Final Order to petitioner and counsel of record for respondent.



RAYMOND A. JACKSON
United States District Judge
UNITED STATES DISTRICT JUDGE

Norfolk, Virginia

April 17, 2014